

# **STATE OF MAINE**

## **DEPARTMENT OF EDUCATION**

**Revised**

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**Revised**

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**Incorporating August 20, 2003 Amendments and  
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**Incorporating 2005 Test Results Transition Flexibility Proxy**

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**Incorporating Amendments to 5.3 Students with Disabilities, 5.4 Limited  
English Proficient and 6.1 Science Assessments**

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**NECAP and Business Rule Clarifications**

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**Adjusted Cohort Graduation Rate (ACGR)**

September 26, 2012

**Incorporating Amendments to 5.1 Required subgroups, 5.3 Students with Disabilities,  
5.5 School/Subgroup size**



**Stephen L. Bowen, Commissioner**

**August 29, 2012**

**Consolidated State Application Accountability Workbook for State Grants under Title IX, Part C, Section  
9302 of the Elementary and Secondary Education Act (Public Law 107-110)**

# 1. Summary of Implementation Status for Required Elements of Maine's State Accountability Systems

Status		State Accountability System Element
<b><u>Principle 1: All Schools</u></b>		
F	1.1	Accountability system includes <i>all schools and districts in the state</i> .
F	1.2	Accountability system holds <i>all schools to the same criteria</i> .
F	1.3	Accountability system incorporates the <i>academic achievement standards</i> .
F	1.4	Accountability system provides <i>information in a timely manner</i> .
F	1.5	Accountability system includes <i>report cards</i> .
F	1.6	Accountability system includes <i>rewards and sanctions</i> .
<b><u>Principle 2: All Students</u></b>		
F	2.1	The accountability system includes <i>all students</i>
F	2.2	The accountability system has a consistent definition of <i>full academic year</i> .
F	2.3	The accountability system properly includes <i>mobile students</i> .
<b><u>Principle 3: Method of AYP Determinations</u></b>		
F	3.1	Accountability system expects <i>all student subgroups, public schools, and LEAs to reach proficiency by 2013-14</i> .
F	3.2	Accountability system has a method for determining whether <i>student subgroups, public schools, and LEAs made adequate yearly progress</i> .
F	3.2a	Accountability system establishes a <i>starting point</i> .
F	3.2b	Accountability system establishes <i>statewide annual measurable objectives</i> .
F	3.2c	Accountability system establishes <i>intermediate goals</i> .
<b><u>Principle 4: Annual Decisions</u></b>		
F	4.1	The accountability system <i>determines annually the progress</i> of schools and districts.
<b><u>Principle 5: Subgroup Accountability</u></b>		
F	5.1	The accountability system <i>includes all the required student subgroups</i> .
F	5.2	The accountability system holds <i>schools and LEAs accountable for the progress of student subgroups</i> .
F	5.3	The accountability system includes <i>students with disabilities</i> .
F	5.4	The accountability system includes <i>limited English proficient students</i> .
F	5.5	The State has determined the minimum number of students sufficient to yield statistically reliable information for each purpose for which disaggregated data are used.
F	5.6	The State has strategies to protect the privacy of individual students in reporting achievement results and in determining whether schools and LEAs are making adequate yearly progress on the basis of disaggregated subgroups.
<b><u>Principle 6: Based on Academic Assessments</u></b>		
F	6.1	Accountability system is based <i>primarily on academic assessments</i> .

<b><u>Principle 7: Additional Indicators</u></b>		
F	7.1	Accountability system includes <i>graduation rate for high schools</i> .
F	7.2	Accountability system includes an <i>additional academic indicator for elementary and middle schools</i> .
F	7.3	Additional indicators are valid and reliable.
<b><u>Principle 8: Separate Decisions for Reading/Language Arts and Mathematics</u></b>		
F	8.1	Accountability system holds students, schools and districts separately accountable for <i>reading/language arts</i> and <i>mathematics</i> .
<b><u>Principle 9: System Validity and Reliability</u></b>		
F	9.1	Accountability system produces <i>reliable decisions</i> .
F	9.2	Accountability system produces <i>valid decisions</i> .
F	9.3	State has a plan for addressing <i>changes in assessment and student population</i> .
<b><u>Principle 10: Participation Rate</u></b>		
F	10.1	Accountability system has a means for calculating the <i>rate of participation</i> in the statewide assessment.
F P	10.2	Accountability system has a means for <i>applying the 95% assessment criteria to student subgroups and small schools</i> .

**PRINCIPLE 1. A SINGLE STATEWIDE ACCOUNTABILITY SYSTEM APPLIED TO ALL PUBLIC SCHOOLS AND LEAS.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.1 How does the State Accountability System include every public school and LEA in the State?	<p>Every public school and LEA is required to make adequate yearly progress and is included in the State Accountability System. State has a definition of “public school” and “LEA” for AYP accountability purposes.</p> <ul style="list-style-type: none"> <li>• The State Accountability System produces AYP decisions for all public schools, including public schools with variant grade configurations (e.g., K-12), public schools that serve special populations (e.g., alternative public schools, juvenile institutions, state public schools for the blind) and public charter schools. It also holds accountable public schools with no grades assessed (e.g., K-2).</li> </ul>	<p>A public school or LEA is not required to make adequate yearly progress and is not included in the State Accountability System.</p> <p>State policy systematically excludes certain public schools and/or LEAs.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>Maine’s Accountability System includes every public school and RSU/SAU in the state. The definition of public school and RSU/SAU for AYP accountability purposes is the same as Basic School Approval specified in 05-071 C.M.R. Ch. 125 Section 2.2.2. Maine’s accountability system is based on holding an RSU/SAU accountable for the performance of each school in the unit. If a school is identified based on performance for one content area, the performance of the entire school administrative unit is reviewed. A school with no grades assessed under <i>NCLBA</i>, such as a K-2 school, is assessed based on the status of the school their students will attend (feeder pattern). Maine will “back-map” performance data when there is insufficient data to make AYP determinations. The term “back map” in this context refers to the routing of accountability data to the school which the student attended in the prior year(s). In the absence of a distinct feeder pattern, students are tracked back based upon the K-2 attendance site of the majority of the students. If a receiving school is identified as not having met AYP, the feeder school does not meet AYP.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 1.4</i></p> <p><b>Regulatory Reference</b>  <i>05-071 CMR Ch. 125, Section 2.2.2 and 2.2.3</i></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
1.3 Does the State have, at a minimum, a definition of <i>basic</i> , <i>proficient</i> and <i>advanced</i> student achievement levels in reading/language arts and mathematics?	State has defined three levels of student achievement: <i>basic</i> , <i>proficient</i> and <i>advanced</i> . Student achievement levels of <i>proficient</i> and <i>advanced</i> determine how well students are mastering the materials in the State's academic content standards; and the <i>basic</i> level of achievement provides complete information about the progress of lower-achieving students toward mastering the <i>proficient</i> and <i>advanced</i> levels.	Standards do not meet the legislated requirements.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>Maine has received Full Approval (Briggs, April 2008) by the USDE for its standards and assessment system for use in making AYP determinations. The evidence presented to Peer Reviewers demonstrated the state's assessments had rigorous academic achievement standards. These achievement standards were established using valid, technically sophisticated procedures that reflect the achievement continuum articulated with the academic content standards (Maine's <i>Learning Results- MLRs</i>). After extensive discussion in 1999, it was decided that there would be four achievement levels entitled "Does Not Meet the Standards," "Partially Meets the Standards," "Meets the Standards," and "Exceeds the Standards." These achievement level names were established with extensive participation of educators and citizens. For making federal AYP determinations, the state defines "proficiency" as any student receiving an achievement level of "Meets the Standards" or "Exceeds the Standards" on any of the MeCAS assessments (not including ACCESS for ELLs©) used for federal accountability; as with the achievement levels, proficiency is determined separately for reading and mathematics. Note: Maine's alternate assessment (Personalized Alternative Assessment Portfolio-PAAP) uses the achievement level terminology for below proficient as either (a) "Attempting Work Based on the Standards" or (b) "Emerging Toward the Standards". Maine's assessment (New England Common Assessments Program-NECAP) uses the achievement level terminology for below proficient as either (a) "Substantially Below Proficient" or (b) "Partially Proficient". NECAP also uses (c) "Proficient" and (d) "Proficient with Distinction".</p> <p><b>Additional Sources of Information</b>  <i>MeCAS Technical Manual-2009</i>, Part I, Appendix L; Part II, Appendix H; Part III, Section V  <i>NECAP Technical Manual-2008</i>, Appendix F  <i>State Accountability Manual-2009</i>, Section 1.1  USDE Approval Letter (April 2008)</p> <p><b>Regulatory Reference</b>  <i>05-071 CMR Ch.127, Section 2.25 and 4.01</i></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.4 How does the State provide accountability and adequate yearly progress decisions and information in a timely manner?	<p>State provides decisions about adequate yearly progress in time for LEAs to implement the required provisions before the beginning of the next academic year.</p> <p>State allows enough time to notify parents about public school choice or supplemental educational service options, time for parents to make an informed decision, and time to implement public school choice and supplemental educational services.</p>	Timeline does not provide sufficient time for LEAs to fulfill their responsibilities before the beginning of the next academic year.

#### STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The MeCAS assessments (not including ACCESS for ELLs®) are administered during several “windows” between March and June of each year for the MEA (3-8) and MHSA (11) assessments. Maine’s alternate assessment (Personalized Alternate Assessment Portfolio-PAAP) collects achievement information using standardized tasks throughout the year and culminates each year in a scoring event typically scheduled in mid-May. Assessment results from the MeCAS arrive at the MDOE during June and July. Preliminary AYP determinations are calculated prior to the beginning of the subsequent year for all Title I (including those identified as Continuous Improvement Priority Schools-CIPS) schools. Parents are informed of the status of their child’s school and subgroup performance annually, at least two weeks prior to the start of the school year. In some cases, the appeal process changes the preliminary subgroup, school, or RSU/SAU accountability status for the given year; however, sanctions implemented remain in place until the subsequent school year. The necessity for preliminary scores being calculated will end once the state switches to the NECAP because results will be received in late winter rather than mid-summer). Maine shall make AYP determinations for elementary schools in the spring of the current year based upon results from the NECAP and attendance rates from the prior year (lagged one year). AYP determinations for high schools, districts, and the state as a whole shall occur during the summer and graduation rates from the prior year (lagged one year).

#### Additional Sources of Information

*State Accountability Manual-2009, Sections 1.1 and 3.1*

<u>TIER</u>	<u>ASSESSMENT TYPE</u>	<u>SUSPENSE DATE</u>
Elementary/Middle	PAAP/NECAP	Jan 2010
High School	MHSA/PAAP	Jun 2010
District and State	All	Aug 2010

**Regulatory Reference:** 34 C.F.R. 200.1

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.5 Does the State Accountability System produce an annual State Report Card?	<p>The State Report Card includes all the required data elements [see Appendix A for the list of required data elements].</p> <p>The State Report Card is available to the public at the beginning of the academic year.</p> <p>The State Report Card is accessible in languages of major populations in the State, to the extent possible.</p> <p>Assessment results and other academic indicators (including graduation rates) are reported by student subgroups</p>	<p>The State Report Card does not include all the required data elements.</p> <p>The State Report Card is not available to the public.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>The accountability system produces an annual State Report Card following NCLB regulations, containing the following items: (a) the state assessment results over two years in reading and mathematics, (b) the state AYP report, and (c) state-level Maine teacher quality data. The State Report Card, containing all required data elements, can be found before the beginning of the academic year at: <a href="http://www.maine.gov/education/nclb/reportcard/">http://www.maine.gov/education/nclb/reportcard/</a></p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Sections 1.1 and 3.1</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
1.6 How does the State Accountability System include rewards and sanctions for public schools and LEAs?	State uses one or more types of rewards and sanctions, where the criteria are: <ul style="list-style-type: none"> <li>• Set by the State;</li> <li>• Based on adequate yearly progress decisions; and,</li> <li>• Applied uniformly across public schools and LEAs.</li> </ul>	State does not implement rewards or sanctions for public schools and LEAs based on adequate yearly progress.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>The state accountability system makes annual AYP determinations for all schools and RSU/SAUs. Schools and RSUs/SAUs that do not make AYP for two years are identified as Continuous Improvement Priority Schools/RSUs/SAUs (CIPS). This term is used because identified schools/RSUs/SAUs are the lowest performing and slowest improving schools or RSU/SAUs in the state and therefore represent the highest priority for state intervention to improve student performance.</p> <p>A1. Sanctions (applied to Title I schools)</p> <ol style="list-style-type: none"> <li>1. When a school or RSU/SAU does not reach the AYP target for two consecutive years in reading, mathematics, or Other Academic Indicator (OAI), it is identified as a CIPS school or RSU/SAU, and the timeline begins for federal sanctions.</li> <li>2. Once a Title I school or RSU/SAU is identified as a CIPS, the school/RSU/SAU receives assistance/sanctions in accordance with applicable NCLB requirements.</li> </ol> <p>A2. Sanctions (applied to non-Title I schools/RSUs/SAUs only)</p> <p>The state legislature is proposing a plan of action authorizing consequences and support for underperforming schools (regardless of their Title I, Part A subgrantee status).</p> <p>B. Rewards and Recognition</p> <p>Maine's <i>Quality Assurance Plan-Transitions to 2011</i> was fully approved by the Commissioner that includes provisions to recognize schools and RSUs/SAUs demonstrating improved performance in student achievement. Implementation of the aforementioned plan this spring will allow for public recognition after the conclusion of the current (2008-09) school year.</p>		
<p><b>Additional Sources of Information</b></p> <p><i>State Accountability Manual-2009, Section 4.1</i></p>		
<p><b>Regulatory Reference</b></p> <p>.</p>		



**PRINCIPLE 2. ALL STUDENTS ARE INCLUDED IN THE STATE ACCOUNTABILITY SYSTEM.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
2.1 How does the State Accountability System include all students in the State?	All students in the State are included in the State Accountability System. The definitions of “public school” and “LEA” account for all students enrolled in the public school district, regardless of program or type of public school.	Public school students exist in the State for whom the State Accountability System makes no provision.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>All students enrolled in public schools and RSUs/SAUs, as defined in Critical Element 1.1, are included in Maine’s Accountability system, as follows:</p> <ul style="list-style-type: none"> <li>• Through school subgroup performance;</li> <li>• Through school performance;</li> <li>• Through RSU/SAU performance; or,</li> <li>• Through statewide subgroup performance.</li> </ul> <p>All students are required to participate in the MeCAS (including the NECAP). Non-English speaking students who are new (first year in the United States) participate in the ACCESS for ELLs®. Their participation in ACCESS for ELLs® counts as having participated in the MeCAS reading assessment only. These students must participate in the mathematics portion of the MeCAS. The MDOE uses quality control procedures, including those implemented by the assessment contractors, to ensure that there is no systematic exclusion of students occurring in any given year. Safeguards are used to verify student enrollment in a Maine school and that these data are accounted for in both the assessment and accountability results. The state has established operational procedures to ensure that all students, regardless of their program placement or type of public school, are included in the accountability system. This includes, but is not limited to, students adjudicated to a juvenile detention center, alternative school, or an intervention program.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 3.2</i>  <i>MEA/MHSA Operational Procedures Manual-2009</i></p> <p><b>Regulatory Reference</b>  <i>05-071 CMR Ch. 127 Section 4.01</i></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
2.2 How does the State define “full academic year” for identifying students in AYP decisions?	The State has a definition of “full academic year” for determining which students are to be included in decisions about AYP. The definition of full academic year is consistent and applied statewide.	LEAs have varying definitions of “full academic year.” The State’s definition excludes students who must transfer from one district to another as they advance to the next grade. The definition of full academic year is not applied consistently.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>In Maine, Full Academic Year (FAY) is defined as being enrolled continuously in a school, RSU/SAU, and/or state from a date on or before October 1 in the academic year of testing through the end of the school year. This definition is consistent and applied statewide. The MDOE implements a series of quality assurance structures within the agency to monitor the impact of the FAY business rule. Empirical evidence is used to inform program monitoring conducted as part of the MDOE’s fiduciary responsibility to ensure the ESEA, the IDEA, and other programs are being implemented by subgrantees in accordance to state and federal regulations.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 4 (Quality Assurance)</i>  <i>State Accountability Manual-2009, Section 3 (FAY business rule)</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING STATUTORY REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
2.3 How does the State Accountability System determine which students have attended the same public school and/or LEA for a full academic year?	<p>State holds public schools accountable for students who were enrolled at the same public school for a full academic year.</p> <p>State holds LEAs accountable for students who transfer during the full academic year from one public school within the district to another public school within the district.</p>	<p>State definition requires students to attend the same public school for more than a full academic year to be included in public school accountability.</p> <p>State definition requires students to attend school in the same district for more than a full academic year to be included in district accountability.</p> <p>State holds public schools accountable for students who have not attended the same public school for a full academic year.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>A student is counted in reading and mathematics performance indicators at the school, RSU/SAU, and state level when the student has been enrolled for a full academic year (FAY). Accountability calculations associated with participation, attendance, and graduation rates do not apply the FAY criteria. All state enrollment data, including exit data, is captured through MEDMS. These data are migrated to the accountability contractor. Students enrolling on or before October 1 are flagged as FAY. Students who transfer to a new school and/or RSU/SAU are flagged as SCHFAY and DISFAY. Students who transfer within a RSU/SAU are flagged as SCHFAY, in accordance with AYP business rules.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 3</i></p> <p><b>Regulatory Reference</b></p>		

**PRINCIPLE 3. STATE DEFINITION OF AYP IS BASED ON EXPECTATIONS FOR GROWTH IN STUDENT ACHIEVEMENT THAT IS CONTINUOUS AND SUBSTANTIAL, SUCH THAT ALL STUDENTS ARE PROFICIENT IN READING/LANGUAGE ARTS AND MATHEMATICS NO LATER THAN 2013-2014.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
3.1 How does the State's definition of adequate yearly progress require all students to be proficient in reading/language arts and mathematics by the 2013-2014 academic year?	The State has a timeline for ensuring that all students will meet or exceed the State's proficient level of academic achievement in reading/language arts and mathematics, not later than 2013-2014.	State definition does not require all students to achieve proficiency by 2013-2014.  State extends the timeline past the 2013-2014 academic year.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>Starting points, intermediate goals, and annual measurable objectives have been set separately for reading and mathematics. In both cases, Maine's definition of AYP requires that all students meet or exceed proficiency in the MeCAS (not including ACCESS for ELLs<sup>®</sup>) no later than SY 2013-14. All schools and RSUs/SAUs are rated based on the percent of students meeting the proficiency definition in relation to the target performance, which increases over time.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 1</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
3.2 How does the State Accountability System determine whether each student subgroup, public school and LEA makes AYP?	<p>For a public school and LEA to make adequate yearly progress, each student subgroup must meet or exceed the State annual measurable objectives, each student subgroup must have at least a 95% participation rate in the statewide assessments, and the school must meet the State's requirement for other academic indicators.</p> <p>However, if in any particular year the student subgroup does not meet those annual measurable objectives, the public school or LEA may be considered to have made AYP, if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by 10% of that percentage from the preceding public school year; that group made progress on one or more of the State's academic indicators; and that group had at least 95% participation rate on the statewide assessment.</p>	State uses different method for calculating how public schools and LEAs make AYP.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>The MDOE requires all subgrantees missing AYP for two consecutive years to develop an improvement plan (as required by 34 C.F.R. §200) to address performance of students.</p> <p>The AYP decision logic (macro-level) for subgroups/schools is as follows:</p> <ol style="list-style-type: none"> <li>1. <b>IF</b> Participation Rate (minimum n size 41) for Reading is less than 95%; <b>THEN</b> the cell missed AYP;</li> <li>2. <b>IF</b> Participation Rate (minimum n size 41) for Math is less than 95%; <b>THEN</b> the cell missed AYP;</li> <li>3. <b>IF</b> Performance (minimum n size 20) for Reading is less than annual target with 95% CI and the <i>Safe Harbor</i> provision is not met; <b>THEN</b> missed AYP;</li> <li>4. <b>IF</b> this Performance (minimum n size 20) for Mathematics is less than annual target with 95% CI and the <i>Safe Harbor</i> provision is not met; <b>THEN</b> missed AYP.</li> <li>5. <b>IF</b> OAI HS (ACGR) is less than annual target; <b>THEN</b> missed AYP;</li> <li>6. <b>IF</b> OAI elementary/middle (Attendance) is less than annual target; <b>THEN</b> missed AYP;</li> </ol> <p>The same process will be used for determining RSU/SAU AYP decisions; however, a RSU/SAU must miss the AYP goals in each of three grade spans (elementary K-5, 6-8, and high school 9-12) for two consecutive years before being required to develop an improvement plan.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 3.0</i></p> <p><b>Regulatory Reference</b>  <i>05-071 CMR Ch.127 Section 9.0</i></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>3.2a What is the State's starting point for calculating Adequate Yearly Progress?</p>	<p>Using data from the 2001-2002 school year, the State established separate starting points in reading/language arts and mathematics for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement.</p> <p>Each starting point is based, at a minimum, on the higher of the following percentages of students at the proficient level: (1) the percentage in the State of proficient students in the lowest-achieving student subgroup; or, (2) the percentage of proficient students in a public school at the 20<sup>th</sup> percentile of the State's total enrollment among all schools ranked by the percentage of students at the proficient level.</p> <p>A State may use these procedures to establish separate starting points by grade span; however, the starting point must be the same for all like schools (e.g., one same starting point for all elementary schools, one same starting point for all middle schools...).</p>	<p>The State Accountability System uses a different method for calculating the starting point (or baseline data).</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Six starting points (in total) were established for reading and mathematics at grade 4, 8, and 11. Using assessment data from the 2000-01, 2001-02, and 2002-03 academic years, the AYP starting points were determined using the method described in Section 1111 of NCLB.</p> <p>A. Maine established trajectories for yearly student performance improvement (AYP) using the 20<sup>th</sup> percentile formula required by NCLB.</p> <p>B. 2002-03 is the baseline year for consideration of subgroup data, based on the implementation of MEDMS and clear guidance from the US Department of Education (USED) on racial and ethnic classification.</p> <p>C. In 2005-06, the trajectory was re-evaluated and adjusted as a result of the inclusion of MEA data from grades 3, 5, 6 and 7. The state did not reset any baselines as a result of either the inclusion of MEA and PAAP data in grades 3, 5, 6, and 7 or high school data from the MHSA and high school PAAP.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 1</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
3.2b What are the State's annual measurable objectives for determining adequate yearly progress?	<p>State has annual measurable objectives that are consistent with a state's intermediate goals and that identify for each year a minimum percentage of students who must meet or exceed the proficient level of academic achievement on the State's academic assessments.</p> <p>The State's annual measurable objectives ensure that all students meet or exceed the State's proficient level of academic achievement within the timeline.</p> <p>The State's annual measurable objectives are the same throughout the State for each public school, each LEA, and each subgroup of students.</p>	<p>The State Accountability System uses another method for calculating annual measurable objectives.</p> <p>The State Accountability System does not include annual measurable objectives.</p>

#### STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS

The annual measurable objectives (AMOs) for the state and for statewide subgroups rise slowly at first to allow time for school improvements to be reflected in student achievement. Following this “start-up” period, the trajectory is a line up to 100% proficiency by 2013-14. The AMOs for reading and mathematics are on separate trajectories; however, both have a long-term goal of 100% proficiency by SY 2013-14.

#### 3.2c Amendment Approved September 19, 2008: Annual measurable objectives (AMOs) (Element 3.2)

With the transition to a grade 3-8 assessment system, Maine revised its annual measurable objectives and intermediate goals based upon these new assessments. The OAI for high school AMO trajectory was increased to reflect a 90% cohort graduation rate by 2013-14. This change is consistent with the newly published Title I regulations (December 2008).

Table 3. Short-term (annual) objectives-Proficiency

Year	Grades 3-8 % Proficient	High School % Proficient	Grades 3-8 % Proficient	High School % Proficient
	Reading		Mathematics	
2006	50%	50%	40%	20%
2007	50%	50%	40%	20%
2008	50%	57%	40%	31%
2009	58%	64%	50%	43%
2010	66%	71%	60%	54%
2011	75%	78%	70%	66%
2012	83%	86%	80%	77%
2013	92%	93%	90%	89%
2014	100%	100%	100%	100%

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
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Table 4. Short-term (annual) objectives-OAIs

Year	Grades 3-8 Attendance Rates	High School Graduation Rates
2006	88%	63%
2007	88%	64%
2008	90%	65%
2009	91%	75%
2010	92%	80%
2011	93%	83%
2012	94%	86%
2013	95%	89%
2014	96%	90%

#### Additional Sources of Information

*State Accountability Manual-2009 Section 1*

#### Regulatory Reference



CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
3.2c What are the State's intermediate goals for determining adequate yearly progress?	<p>State has established intermediate goals that increase in equal increments over the period covered by the State timeline.</p> <ul style="list-style-type: none"> <li>•The first incremental increase takes effect not later than the 2004-2005 academic year.</li> <li>•Each following incremental increase occurs within three years.</li> </ul>	<p>The State uses another method for calculating intermediate goals.</p> <p>The State does not include intermediate goals in its definition of adequate yearly progress.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>The State has established intermediate goals that increase in equal increments over the period covered by the state timeline. For the three-year span SY 2001-02, SY 2002-03, SY 2003-04, the increases are conservatively defined to allow time for school improvement efforts to be reflected in student achievement. The first incremental increase takes effect not later than the SY 2004-05 academic year. Each following incremental increase occurs within three years. Beginning in SY 2008-09, the state no longer uses intermediate goals as the AMOs increase <u>each</u> year for both reading and mathematics.</p> <p><b>3.2 Amendment Approved September 19, 2008: Annual measurable objectives (AMOs) (Element 3.2)</b></p> <p>With the transition to a 3-8 assessment system, Maine revised its annual measurable objectives and intermediate goals based upon these new assessments.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 1</i></p> <p><b>Regulatory Reference</b></p>		

**PRINCIPLE 4. STATE MAKES ANNUAL DECISIONS ABOUT THE ACHIEVEMENT OF ALL PUBLIC SCHOOLS AND LEAS.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
4.1 How does the State Accountability System make an annual determination of whether each public school and LEA in the State made AYP?	AYP decisions for each public school and LEA are made annually.	AYP decisions for public schools and LEAs are not made annually.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>The state applies the AYP formula detailed in Critical Element 3.2 to all RSU/RSU/SAUs, schools, subgroups on an annual basis. All RSUs/SAUs, schools, subgroups are notified in a timely manner of their AYP determinations. Results are posted on MDOE's website. Because of considerable variability created by small n-counts used in AYP determination, confidence intervals at the 95% level are used. Using confidence intervals addresses this variability. If a school's score plus the upper limit of the interval is below the AYP target, the MDOE is confident that the cell has not met AYP. If a school does not meet AYP targets, the <i>Safe Harbor</i> test is conducted. This allows the cell to make AYP when it has reduced by 10% the number of students that did not <i>Meet</i> or <i>Exceed the Standards</i> (proficient) from the previous year's assessment provided the school/subgroup has also met the AYP requirements for the OAI. <u>For HS graduation rate, a school, as a whole, must meet the annual target or make significant progress by showing no less than two percentage point change from the prior year's rate (not applicable for the ACGR baseline year (SY 2009-10)).</u></p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 3</i></p> <p><b>Regulatory Reference</b></p>		

**PRINCIPLE 5. ALL PUBLIC SCHOOLS AND LEAS ARE HELD ACCOUNTABLE FOR THE ACHIEVEMENT OF INDIVIDUAL SUBGROUPS.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
5.1 How does the definition of adequate yearly progress include all the required student subgroups?	Identifies subgroups for defining adequate yearly progress: economically disadvantaged, major racial and ethnic groups, students with disabilities, and students with limited English proficiency.  Provides definition and data source of subgroups for adequate yearly progress.	State does not disaggregate data by each required student subgroup.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>Disaggregation requires consistent application of subgroup definitions. Many RSU/SAUs have subgroups that are too small for results to be reported without violating student confidentiality; however, all students are included in the statewide aggregated results for the subgroup. School performance for these subgroups is addressed through the accountability system. The MDOE has established consistent business rules for the required subgroups as follows:</p> <ol style="list-style-type: none"> <li>1) Students with Disabilities (SWD): A student with disabilities is defined as a student who has been identified under IDEA and educated in accordance with an Individual Education Plan;</li> <li>2) Low Income Students (ED): A low income student is defined as a student who is eligible for free or reduced price meals;</li> <li>3) Limited English Proficient Students (LEP): A limited English proficient student is defined as a student who is identified in accordance with <i>NCLBA</i> as a student with limited English proficiency (for AYP determinations “former LEP” students up to two years after exiting LEP status are included in the subgroup); and,</li> <li>4) Racial or Ethnic Subgroups: A student’s NCLB subgroup is defined as a student’s racial/ethnic classification first assigned during enrollment in a Maine public school. The subgroups for AYP determinations are: Hispanic and the following non-Hispanic groups: American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Pacific Islander, Caucasian and Two or more races..</li> </ol> <p>The AYP report contains accountability data for all subgroups. The MDOE also reports, for assessment purposes, achievement data by gender, migrant status, gifted/talented, Title 1A targeted program, first year LEP, and students with a Section 504 plan.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 2 Business Rules</i>  MEDMS data dictionary</p> <p><b>Regulatory Reference</b>  <i>05-071 CMR Ch. 101</i></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<b>5.2</b> How public schools and LEAs are held accountable for the progress of student subgroups in the determination of adequate yearly progress?	Public schools and LEAs are held accountable for student subgroup achievement: economically disadvantaged, major ethnic and racial groups, students with disabilities, and limited English proficient students.	State does not include student subgroups in its State Accountability System.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>As described in Critical Element 5.1, schools and RSUs/SAUs are held accountable for all of the required NCLB defined subgroups, subject to subgroup size requirements as detailed in Critical Element 5.5 and student privacy considerations as detailed in Critical Element 5.6.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 2 and 3</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<b>5.3</b> How are students with disabilities included in the State's definition of adequate yearly progress?	<p>All students with disabilities participate in statewide assessments: general assessments with or without accommodations or an alternate assessment based on grade level standards for the grade in which students are enrolled.</p> <p>State demonstrates that students with disabilities are fully included in the State Accountability System.</p>	<p>The State Accountability System or State policy excludes students with disabilities from participating in the statewide assessments.</p> <p>State cannot demonstrate that alternate assessments measure grade-level standards for the grade in which students are enrolled.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>Maine statute requires that all publicly funded students enrolled in a public school or in a private school that educates 60% or more students at public expense must participate in the MeCAS. This may be accomplished through standard administration, administration with accommodations, or alternate assessment if the accommodations required would be so substantial that the content validity of the assessment would be compromised. All students with disabilities participate in the assessment system and contribute to AYP. If necessary, participation in MeCAS assessments occurs with accommodations or involves the alternate assessment as specified in a student's IEP. Performance of this subgroup is judged by aggregated results of students assessed with and without accommodations and students assessed with alternate assessments. Maine incorporates the December 2003 flexibility granted in determining the appropriate assessment tools for students with disabilities, while enforcing the 1% cap provision.</p> <p>Amendment Approved (Date pending)</p> <p>Maine enforces the 1percent cap in accordance with ED's <i>Alternate Achievement Standards for Students with the Most Significant Cognitive Disabilities Non-Regulatory Guidance</i> through implementation of Maine's <i>Alternate Assessments Standards Procedures for Administration of State and District 1% Proficiency Cap</i>.</p> <p><b>Amendment Approved September 19, 2008:</b></p> <p><b>Split assessment for students with significant cognitive disabilities (Element 5.3)</b></p> <p>Beginning in the 2008-2009 school year, students with the most significant cognitive disabilities may take an alternate assessment based on alternate academic achievement standards in one subject and the general assessment in the other as determined by the student's IEP Team. The agency monitors the participation of all students with disabilities prior to the beginning of the next school year.</p> <p><b>Additional Sources of Information</b></p> <p><i>State Accountability Manual-2009, Section 2.1 and Section 3.1</i></p> <p><b>Appendix A:</b> <i>Alternate Assessments Standards Procedures for Administration of State and District 1% Proficiency Cap.</i></p> <p><b>Regulatory Reference</b></p> <p>M.S.R.S. Title 20-A Section 6202</p> <p><i>05-071 CMR, Section 11.2</i></p>		



CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<b>5.4</b> How are students with limited English proficiency included in the State's definition of adequate yearly progress?	<p>All LEP students participate in statewide assessments: general assessments with or without accommodations or a native language version of the general assessment based on grade level standards.</p> <p>State demonstrates that LEP students are fully included in the State Accountability System.</p>	<p>LEP students are not fully included in the State Accountability System.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>All Limited English proficient students participate in the MeCAS, with accommodations if necessary. Maine incorporates the flexibility granted in September 2006 in assessing LEP students based upon approval of the September 19, 2008 Amendment: Including limited proficient students in AYP determinations. For newly arrived immigrants, Maine defines a recently arrived LEP student as an LEP student who has attended schools in the United States for 12 months or less. These students are exempted from one administration of Maine's state assessment for Reading (MEA for grade 3-8 and MHSA for high school) provided the student has completed an approved language proficiency assessment (ACCESS for ELLs<sup>®</sup>) prior to the administration of the state assessment. Recently arrived LEP students participate in Maine's mathematics assessments and, beginning in SY 2007-08, in Maine's science assessments. Maine will not count the scores of recently arrived LEP students in mathematics and/or reading (if taken) in AYP determinations.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 3 (LEP)</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<b>5.5</b> What is the State's definition of the minimum number of students in a subgroup required for reporting purposes? For accountability purposes?	State defines the number of students required in a subgroup for reporting and accountability purposes, and applies this definition consistently across the State. Definition of subgroup will result in data that are statistically reliable.	State does not define the required number of students in a subgroup for reporting and accountability purposes. Definition is not applied consistently across the State. Definition does not result in data that are statistically reliable.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENT</b>		
<p>For AYP, minimum cell size will be 20 students. For purposes of determining 95% participation, 41 is the minimum cell size. For purposes of AYP, participation rates are calculated using one year of data. Proficiency calculations are based on one year of data for grades 3-8 and two years of data for high school. These data are combined and the percentage of proficient students is compared to the annual targets. If the sum of students tested is less than 20 students over the two years, then up to three years of data are combined. In the unusual circumstance that the grade aggregation for three years does not reach 20 students, the AYP formula for proficiency is calculated and the status is noted with “SS” indicating that the data is below the state’s minimum cell size All schools are provided with a final AYP status and included in the state’s annual AYP report posted on the MDOE website.</p> <p><b>Amendment Approved (date pending):</b></p> <p>In the unusual circumstance that aggregation of performance data for three years does not reach 20 students in the “whole” group, Maine will implement the procedure for determining AYP outlined in the document titled <i>Procedures for Determining Adequate yearly progress (AYP) in small schools</i>.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 3</i></p> <p><b>Appendix B:</b> Procedures for Determining Adequate yearly progress (AYP) in small schools.</p> <p><b>Regulatory Reference</b></p>		



CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<b>5.6</b> How does the State Accountability System protect the privacy of students when reporting results and when determining AYP?	Definition does not reveal personally identifiable information.	Definition reveals personally identifiable information.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>Student-level data are made available through the state’s information management system (MEDMS), which contains safeguards (procedures and access policies) to prevent unauthorized disclosure of student data used in making accountability determinations. Also, the first page of the report website where schools access their data has the following statement: “The Family Education Rights and Privacy Act (FERPA) require that access to individual student information be restricted to the student, his/her parents/guardians, and authorized school personnel. All superintendents and principals are responsible for maintaining the privacy and security of all student records.”</p> <p>In reporting accountability results, any school or subgroup data that could disclose a student, or students’ identity within the displayed public data, are suppressed. For example, if the AYP statistic within the cell is 100%, the AYP cell is reported as achieving at greater than 95% (using the symbol &gt;95%). Conversely, if the AYP statistic within the cell is 0%, the AYP cell is reported as achieving less than 5% (using the symbol &lt;5%).</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 3</i></p> <p><b>Regulatory Reference</b></p>		

**PRINCIPLE 6. STATE DEFINITION OF AYP IS BASED PRIMARILY ON THE STATE'S ACADEMIC ASSESSMENTS.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
6.1 How is the State's definition of adequate yearly progress based primarily on academic assessments?	Formula for AYP shows that decisions are based primarily on assessments. Plan clearly identifies which assessments are included in accountability.	Formula for AYP shows that decisions are based primarily on non-academic indicators or indicators other than the State assessments.

**STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS**

AYP determinations are based primarily on MeCAS data. The non-academic indicators are graduation rate for high schools (required by law) and average daily attendance rate for elementary/middle schools. The state does not use an indexing system or combine academic content areas into a single indicator.

**MeCAS**

Assessment	Content Area	Grade Range	Used for AYP
NECAP	Reading	3-8	Yes
NECAP	Mathematics	3-8	Yes
MEA	Science	5,8	No
MHSA	Reading	11	Yes
MHSA	Mathematics	11	Yes
MHSA	Writing	11	No
MHSA	Science	11	No
PSAT	All	9-10	No
ACCESS of ELLs©	All	K-12	Yes for 1 <sup>st</sup> year LEP (participation only)
PAAP	Reading	3-5, 6-8,11	Yes
PAAP	Mathematics	3-5, 6-8,11	Yes
PAAP	Science	3-5, 6-8,11	No

**Amendment approved September 19, 2008:****Science Assessments**

Beginning in spring 2007-08, the high school science test will be the Maine High School Assessment (MHSA) science test.

Beginning in 2009-10, the NECAP will be Maine's assessment for reading and mathematics for grades 3-8.

**Additional Sources of Information**

*State Accountability Manual-2009, Section 1*

**Regulatory Reference**

**PRINCIPLE 7. STATE DEFINITION OF AYP INCLUDES GRADUATION RATES FOR PUBLIC HIGH SCHOOLS AND AN ADDITIONAL INDICATOR SELECTED BY THE STATE FOR PUBLIC MIDDLE AND PUBLIC ELEMENTARY SCHOOLS (SUCH AS ATTENDANCE RATES).**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
7.1 What is the State definition for the public high school graduation rate?	<p>State definition of graduation rate:</p> <ul style="list-style-type: none"> <li>• Calculates the percentage of students, measured from the beginning of the school year, who graduate from public high school with a regular diploma (not including a GED or any other diploma not fully aligned with the state's academic standards) in the standard number of years; or,</li> <li>• Uses another more accurate definition that has been approved by the Secretary; and</li> <li>• Must avoid counting a dropout as a transfer.</li> </ul> <p>Graduation rate is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause to make AYP.</p>	State definition of public high school graduation rate does not meet these criteria.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>For AYP determinations beginning in SY 2009-10, Maine will determine the adjusted cohort graduation rate (ACGR) for the graduating class of 2008-09 by comparing the number of students who entered ninth grade for the first time four years earlier in the fall of 2004 who received a “regular” diploma. For this calculation, the denominator contains the cohort of all first time ninth graders from four years earlier plus all transfers into this cohort minus all transfers out (see MDOE’s <i>ACGR Process and Quality Assurance Guide</i>). The numerator contains only “regular” diploma recipients (Exit Code 15) from the four year cohort. “Regular” diplomas include diplomas received by SWD students granted five/six years by their IEP and Limited English Proficient (LEP) students granted five/six years as part of their documented Personal Learning Plans. However, in both of the aforementioned subpopulations, the recipients are tabulated separately and then extracted <b>out</b> of the calculations in order to produce a four-year cohort graduation rate until such time as the MDOE receives approval to calculate an extended rate or rates. This approach satisfies the 34 C.F.R. 200.19 requirements prior to the statutory deadline (SY 2011-12 for AYP determinations). Thus, beginning with the graduating class of 2009, the OAI for high schools will be based upon the ACGR results. These results will be used for making AYP determinations for all high schools, including K-12 schools. The MDOE will report the ACGR to its SAUs beginning in the summer of 2010 to guide improvement efforts; however, subgroup AYP determinations will not go into effect until SY 2011-12. During the interim period, the MDOE will be examining the subgroup data and refining its accountability model to ensure subgroups are making both significant and continuous improvement toward the state’s long-term goal of 90%.</p> <p>Prior to 2009, Maine’s calculation for the graduation rate for the years 2004-05, 2005-06 and 2006-07, 2007-08, and 2008-09 were as follows:</p> <ul style="list-style-type: none"> <li>• The numerator is the total graduates of year n.</li> <li>• The denominator is the sum of the total graduates of year n + the sum of the total completers of year n plus the sum of Grade 12 dropouts of year n + the sum of Grade 11 dropouts of year n-1 + the sum of Grade 10 dropouts of year n-2 + the sum of Grade 9 dropouts of year n-3</li> </ul> <p style="text-align: center;">Graduates Year<sup>n</sup></p>		

**Additional Sources of Information**

*State Accountability Manual-2009, Section 3.1*

**Regulatory Reference:** 34 C.F.R. 200.19

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>7.2 What is the State's additional academic indicator for public elementary schools for the definition of AYP? For public middle schools for the definition of AYP?</p>	<p>State defines the additional academic indicators, e.g., additional State or locally administered assessments not included in the State assessment system, grade-to-grade retention rates or attendance rates.</p> <p>An additional academic indicator is included (in the aggregate) for AYP, and disaggregated (as necessary) for use when applying the exception clause to make AYP.</p>	<p>State has not defined an additional academic indicator for elementary and middle schools.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The other academic indicator for elementary and middle schools is average daily attendance (ADA). Maine's long term goal is to achieve a 96% average daily attendance for all schools and subgroups at all grade levels. At the end of each school year, all schools are required to submit attendance data as outlined in annual Administrative Letters. Data from the ADA Reporting site is collected for grades K-12 (in the aggregate and by subgroups). Attendance rates are then calculated by dividing the aggregate, actual number of days in attendance (numerator), by the aggregate possible number of days in the given school year (denominator), then multiplied by 100 and rounded to the nearest whole number. Data is collected for all required NCLB subgroups.</p> <p><b>Additional Sources of Information</b></p> <p><i>State Accountability Manual-2009, Section 3</i>  Administrative Letter #39, May 20, 2008</p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
7.3 Are the State's academic indicators valid and reliable?	<p>State has defined academic indicators that are valid and reliable.</p> <p>State has defined academic indicators that are consistent with nationally recognized standards, if any.</p>	<p>State has an academic indicator that is not valid and reliable.</p> <p>State has an academic indicator that is not consistent with nationally recognized standards.</p> <p>State has an academic indicator that is not consistent within grade levels.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>Maine requires all superintendents to make an annual report to the Commissioner that contains a full and complete submission of all educational statistics, including average daily attendance and graduation rate, required to be reported for the year ending June 30. The Commissioner provides reporting requirements and reporting elements through annual Administrative Letters so that all RSUs/SAUs are reporting in a consistent manner. Each school administrative unit is required to complete and submit the web-based, Average Daily Attendance Reporting form for each school in their unit. Submission of this information provides the necessary student membership and attendance data for each school year in order to meet state and federal reporting requirements. The submission form provides for automatic calculation of ADA rate which is reliable.</p> <p>The calculation of graduation rates for RSU/SAUs by the MDOE is based upon student data from the student information system (MEDMS). Each RSU/SAU is required to complete and submit graduation data for all high schools in their unit through the MEDMS online reporting system. To ensure accurate graduation rate reporting, the MDOE provides RSU/SAUs with uniform exit type codes.</p> <p><b>Additional Sources of Information</b></p> <p><b>Regulatory Reference</b> MSRS 20-A Section 6151</p>		

**PRINCIPLE 8. AYP IS BASED ON READING/LANGUAGE ARTS AND MATHEMATICS ACHIEVEMENT OBJECTIVES.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
8.1 Does the state measure achievement in reading/language arts and mathematics separately for determining AYP?	State AYP determination for student subgroups, public schools and LEAs separately measures reading/language arts and mathematics.  AYP is a separate calculation for reading/language arts and mathematics for each group, public school, and LEA.	State AYP determination for student subgroups, public schools and LEAs averages or combines achievement across reading/language arts and mathematics.
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Maine’s decision logic for AYP determinations reflects the programming sequence used to produce results for reading and mathematics. Student-level proficiency determinations are made for each student’s reading and mathematics achievement level. Aggregation logic and business rules are applied to ensure accountability results for reading and mathematics are made for each required subgroup, school, RSU/SAU, and the state as a whole. The aforementioned process is applicable to all MeCAS assessments (MEA, MHSA, and PAAP) except the ACCESS for ELLs<sup>®</sup>.</p> <p><b>Additional Sources of Information</b> <i>State Accountability Manual-2009, Section 3.1</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p>9.1 How do AYP determinations meet the State's standard for acceptable reliability?</p>	<p>State has defined a method for determining an acceptable level of reliability (decision consistency) for AYP decisions.</p> <p>State provides evidence that decision consistency is (1) within the range deemed acceptable to the State, and (2) meets professional standards and practice.</p> <p>State publicly reports the estimate of decision consistency, and incorporates it appropriately into accountability decisions.</p> <p>State updates analysis and reporting of decision consistency at appropriate intervals.</p>	<p>State does not have an acceptable method for determining reliability (decision consistency) of accountability decisions, e.g., it reports only reliability coefficients for its assessments.</p> <p>State has parameters for acceptable reliability; however, the actual reliability (decision consistency) falls outside those parameters.</p> <p>State's evidence regarding accountability reliability (decision consistency) is not updated.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>The MeCAS fully meets an acceptable level of reliability and validity consistent with nationally recognized standards (AERA/NCME/APA, 1999) and has met the requirements of the Peer Review Guidance. Data from the MeCAS is used. Maine attempts to reduce the possibility of errors step by step. All public schools and RSUs/SAUs give the regular administration of the MEA or MHSA at the same time under the same conditions. Assessment training workshops are held across the state to ensure uniform test administration. Workshop materials are updated and provided to schools on the MDOE website. The state also has a process for investigating possible test security breaches and conditions which could result in invalid scores. School administrators are required to sign assurances that the standardized procedures were actually followed.</p> <p>The state's accountability manual (Section 4) applies an analytical framework to evaluate empirically the accountability results. This framework examines accountability ratings, compares the performance of Title I vs. non-Title I schools, new schools to accountability, and different school configurations for the current year. Multiple years worth of data are used to evaluate trends for the aforementioned groups (also done for RSUs/SAUs and the state as a whole). Further, data are disaggregated at the subgroup level to fully understand the performance of subpopulations within the school, RSU/SAU, and state. This allows Maine to better understand how averaging and confidence intervals used in the system are mitigating the impact of sampling error on accountability determinations.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 4</i>  <i>MeCAS Technical Manual-2009; Part I MEA; Part II MHSA; Part III PAAP</i></p> <p><b>Regulatory Reference</b></p>		



**PRINCIPLE 9. STATE ACCOUNTABILITY SYSTEM IS STATISTICALLY VALID AND**

<b>CRITICAL ELEMENT</b>	<b>EXAMPLES FOR MEETING REQUIREMENTS</b>	<b>EXAMPLES OF NOT MEETING REQUIREMENTS</b>
<b>9.2</b> What is the State's process for making valid AYP determinations?	State has established a process for public schools and LEAs to appeal an accountability decision.	State does not have a system for handling appeals of accountability decisions.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>The MDOE implements quality controls to ensure that AYP reporting is accurate. RSU/SAUs/schools may appeal accountability data and/or MDOE's determination that the school or RSU/SAU did not make AYP during the defined period. The aggrieved party must adhere to the procedural guidelines set forth with the State Accountability Manual, Section 4. MDOE notifies schools/RSUs/SAUs that it does not allow schools/RSUs/SAUs to appeal once the appeals window closes and the final list is completed and made public. A final determination on the status of the appeal shall be made prior to the beginning of the subsequent school year.</p> <p><b>Additional Sources of Information</b> <i>State Accountability Manual-2009, Section 4 (appeal process)</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
<p><b>9.3</b> How has the State planned for incorporating into its definition of AYP anticipated changes in assessments?</p>	<p>State has a plan to maintain continuity in AYP decisions necessary for validity through planned assessment changes, and other changes necessary to comply fully with NCLB.</p> <p>State has a plan for including new public schools in the State Accountability System.</p> <p>State has a plan for periodically reviewing its State Accountability System, so that unforeseen changes can be quickly addressed.</p>	<p>State's transition plan interrupts annual determination of AYP.</p> <p>State does not have a plan for handling changes: e.g., to its assessment system, or the addition of new public schools.</p>
STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS		
<p>Maine is planning to implement the New England Common Assessments Program (NECAP) into its assessment framework. For SY 2008-09, accountability determinations will not be impacted because the changes in the assessment system do not take place until SY2009-10. Thus, the manner by which subgroups, schools, RSUs/SAUs, and the state make AYP determinations will remain consistent with prior years. Maine's <i>Quality Assurance Plan-Transitions to 2011</i> scheduled for final approval by the Commissioner will include provisions to address changes in the assessment system (use of NECAP results) that directly impact AYP determinations. Maine does not plan to "restart the clock" for school improvement. Implementation of the aforementioned plan this spring will allow for operational details to be finalized in the current (2008-09) school year.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009</i></p> <p><b>Regulatory Reference</b></p>		

**PRINCIPLE 10. IN ORDER FOR A PUBLIC SCHOOL OR LEA TO MAKE AYP, THE STATE ENSURES THAT IT ASSESSED AT LEAST 95% OF THE STUDENTS ENROLLED IN EACH SUBGROUP.**

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF NOT MEETING REQUIREMENTS
10.1 What is the State's method for calculating participation method rates in the State assessments for use in AYP determinations?	<p>State has a procedure to determine the number of absent or untested students (by subgroup and aggregate).</p> <p>State has a procedure to determine the denominator (total enrollment) for the 95% calculation (by subgroup and aggregate).</p> <p>Public schools and LEAs are held accountable for reaching the 95% assessed goal.</p>	<p>The state does not have a procedure for determining the rate of students participating in statewide assessments.</p> <p>Public schools and LEAs are not held accountable for testing at least 95% of their students.</p>
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>The MDOE requires a 95% participation rate in the MeCAS assessments. The numerator for determining participation rate is the number of students taking the test; the denominator is the number of students enrolled on the first day of testing. Participation rates are calculated by aggregating the number of valid test-takers who responded to at least one item/task on the applicable MeCAS assessment (numerator) divided by the number of valid test-takers that should have participated based upon MEDMS enrollment data. Resultant values are then multiplied by 100 and rounded to the nearest whole number. Business rules and applicable decision logic ensures aggregation at the subgroup, school, RSU/SAU, and state-level are made separately for reading and mathematics. A series of pre- and post production data reviews (some are in the form of internal audits) are implemented to detect anomalies, systematic exclusions, and entities with unacceptable levels of participation. Meaning, the state requires all students to participate in the MeCAS and does not authorize the systematic exclusion from, removal of, limiting access to the MeCAS assessments.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009 Section 3 (reference computational process &amp; Section 4)</i></p> <p><b>Regulatory Reference</b></p>		

CRITICAL ELEMENT	EXAMPLES FOR MEETING REQUIREMENTS	EXAMPLES OF <i>NOT</i> MEETING REQUIREMENTS
<b>10.2</b> What is the State's policy for determining when the 95% assessed requirement should be applied?	State has a policy that implements the regulation regarding the use of 95% allowance when the group is statistically significant according to State rules.	State does not have a procedure for making this determination.
<b>STATE RESPONSE AND STATE ACTIVITIES FOR MEETING REQUIREMENTS</b>		
<p>For federal accountability, Maine requires at least 95% participation in order for a subgroup, school, RSU/SAU, and the state as a whole in order meet its AYP target. Maine uses the approved participation rate flexibility to allow either a single or two year average when calculating participation rates. Meaning the MDOE combines two years worth of participation data when determining if an AYP cell met its 95% participation target. In a number of very small schools, three years of data are used in the score production cycle in order to reach the required minimum cell size (n = 41). The FAY business rule is <b><u>not</u></b> applied in the decision logic associated with reading or mathematics participation indicator.</p> <p><b>Additional Sources of Information</b>  <i>State Accountability Manual-2009, Section 2, 3</i></p> <p><b>Regulatory Reference</b></p>		

## APPENDIX A

### ALTERNATE ASSESSMENTS STANDARDS PROCEDURES FOR ADMINISTRATION OF STATE AND DISTRICT 1% PROFICIENCY CAP

Citation: Section 200.13(c)(1)(ii) of the Title I regulations states that in calculating AYP, State and school districts must include scores for students with disabilities and may include the proficient and proficient with distinction scores of students with the most significant cognitive disabilities based on the alternate academic achievement standards in Sec. 200.1(d), provided that the number of those students who score at the proficient or proficient with distinction level on those alternate achievement standards at the LEA and at the State levels, separately, does not exceed 1.0 percent of all students in the grades assessed in reading/language arts and in mathematics.

Note: The 1% cap is the limit on the number of proficient or advanced scores based on alternate achievement standards that may count as proficient or advanced for accountability purposes at the LEA and SEA levels.

#### **Implementation steps:**

1. Maine Department of Education (MDOE) alternate assessment program personnel will provide information regarding the 1% cap to LEAs through the following activities:
  - Alternate assessment regional administration trainings
  - Alternate assessment administration manuals
    - Guideline for Participation document
    - Administration Handbook
  - MDOE regional assessment administration workshops
2. Each year, MDOE program personnel will collect information regarding the number of students registered to participate in alternate assessments in each LEA.
3. Following the receipt of alternate assessment results, MDOE program personnel will review LEA results to determine which LEAs, if any, exceeded the 1% cap of proficient students.
4. For those LEAs not exceeding the 1% cap, no steps will be taken. All proficient alternate assessment scores will be included in AYP determinations.
5. For those LEAs exceeding the 1% cap, notification will be sent and the LEA will be provided with steps for requesting a waiver. The following steps will then be implemented:
  - For LEAs with approved waiver requests: no impact on accountability results. All proficient scores will be included in AYP determinations.
  - For LEAs with non-approved waivers: A maximum number of allowable proficient scores will be determined based on district enrollment data for grades 3-8 and 3rd year high school. This number will serve as the maximum number of proficient scores on alternate assessments that will be used to calculate AYP determinations. Any proficient scores in excess of the allowable number will be counted as non-proficient.
    - Ex. A district with 900 students in grades 3-8 and 3rd year high school combined would be allowed to count a maximum of 9 students. This number reflects 1%, which is the federal threshold. LEA assessment

results indicate that 13 students have achieved a score which is designated as proficient against alternate standards. For accountability purposes, only 9 students will be counted as proficient. The remaining 4 scores will be counted as non-proficient.

- For LEAs with proficient scores in excess of the maximum number allowed, the LEA will be required to submit to MDOE a list of students whose scores will be deemed non-proficient. This information will be directed to the ESEA Accountability program staff to allow necessary adjustments to State, LEA and school AYP reporting.
6. For LEAs that exceed the 1% cap and do not submit a waiver request:
    - Procedures outlined for LEAs with non-approved waivers will apply.
  7. In all instances where LEAs administered alternate assessments in excess of 1% of the total enrollment for grades 3-8 and 3rd year high school, assessment information will be forwarded to MDOE General Supervision Systems Team (GSST)/IDEA staff for further review, as needed.
    - In 2009-10 0.60% of students assessed in reading and 0.65% of student assessed in mathematics through alternate standards were proficient. The MDOE has not exceeded the 1% cap since implementation of NCLB.
    - The annual percentage of students rated as proficient against alternate assessment standards will be monitored. If the state level data exceeds 1%, state procedure will be implemented to determine appropriate measures to be used to reduce the number of students reported as proficient against alternate standards.

## **APPENDIX B**

### **PROCEDURES FOR DETERMINING ADEQUATE YEARLY PROGRESS (AYP) IN SMALL SCHOOLS**

The *No Child Left Behind Act of 2001* requires that a state evaluate *all* schools. Element 5.5 of the Accountability Workbook outlines how the SEA will complete this requirement for all schools, including those with less than the minimum required n-size of 20 students. Maine has several very small rural schools, each with an enrollment too small to reach the required minimum n-size of 20 over three years. Consequently, an alternative methodology for determining adequate yearly progress (AYP) had to be developed for schools meeting this description. All the calculations are done the same way for small schools as the regular schools. There are two differences: (a) Three years of data is used in the calculations (b) Small schools do not get safe harbor part of the calculation. This is explained in detail below.

#### **Meeting the 95% tested Requirement**

For this calculation, the current year percent tested is calculated as well as the three year average. In the current year, if 95 % of the students were tested, the school has met the 95% requirement. The formula used to calculate the percent tested in the current year is:

$$\frac{\text{Current year students tested}}{\text{Current year students enrolled}} = \text{Percent for participation}$$

#### **Meeting the Annual Measurable Objectives Small Schools**

Progress toward meeting Annual Measurable Objectives in small schools is determined by calculating the percentage of students meeting proficiency on state assessments, aggregating data for the past three years. Students excluded from this calculation are students who did not attend this school for a full academic year (FAY) and students who do not have a score on the test. For small schools, there is no safe harbor because improvement cannot be determined.

The formula used to calculate the percent of proficiency is:

$$\frac{\begin{array}{l} \text{Current year students meeting or exceeding standards} \\ \text{(non-FAY students and non-tester excluded)} \end{array}}{\begin{array}{l} \text{Current year students tested} \\ \text{(non-FAY students and non-tester excluded)} \end{array}} = \text{Percent proficient}$$

The upperbound of 95% confidence interval is also calculated for small schools. The formula for the confidence interval calculation is outlined in detail in the Consolidated Accountability Workbook.

#### **Meeting the Additional Indicator**

Average Daily Attendance (ADA) and/or Graduation Rate serve as the additional indicator for Maine's AYP determinations. These measures are calculated the same way as for regular schools. To make AYP an elementary school must meet the annual ADA rate; schools with high school

grades must meet the annual graduation rate target. Data for both of these measures is based on the rates reported to MDOE through annual required state reporting, as referenced in Indicator

### **Reporting Adequate Yearly Progress**

For schools meeting the small schools criteria, an AYP report, similar to that issued to every other school, is issued with the status determination listed as “SS”. On the publically posted AYP list, the AYP status determination will be reported with an asterisk indicating that the data used to calculate AYP is below the state’s minimum cell size. All schools are provided with a final AYP status and included in the state’s annual AYP report posted on the MDOE website.